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REPORT OF THE SECRETARY-GENERAL ON THE QUESTION OF HAITI

1. The present report is submitted to the Security Council in pursuance of paragraph 16 of resolution 917 (1994), in which it decided that, until the return of the democratically elected President, it would keep under continuous review, at least on a monthly basis, all the measures in resolution 917 and earlier relevant resolutions, and requested that the Secretary-General, having regard for the views of the Secretary-General of the Organization of American States (OAS), report to the Council on the situation in Haiti, the implementation of the Governors Island Agreement, legislative actions including preparations for the legislative elections, the full restoration of democracy in Haiti, the humanitarian situation in that country and the effectiveness of the implementation of sanctions, with the first report not later than 30 June 1994.

2. Since the adoption of resolution 917 (1994) on 6 May 1994, no progress has been made towards the implementation of the Governors Island Agreement. On the contrary, tensions have increased as a result of the installation of an illegitimate government, the growing impact of economic sanctions, the continued repression and the humanitarian crisis.

3. The Commander-in-Chief of the Haitian Armed Forces supported the move to replace illegally the legitimate President of Haiti, an attempt that was condemned on 11 May 1994 by the members of the Security Council and by the Permanent Council of the Organization of American States. Supreme Court Judge Emile Jonassaint, acting as provisional President and Prime Minister, announced that he would be organizing elections by the end of this year and would leave office in February 1995, after the election of a new President in January 1995.

4. The acting Prime Minister of the Constitutional Government, Mr. Robert Malval, has condemned the illegal government of Mr. Jonassaint and called on General Cédras to step down, in conformity with his commitment under the Governors Island Agreement. Haiti's main political parties have also denounced the installation of Mr. Jonassaint as unconstitutional.

5. To consolidate his power, Mr. Jonassaint recently issued a series of statements with the intention of restricting public liberties. He also announced that Haitian people seeking to flee the country for the United States would face punishment and that his regime would enforce a 1980 decree providing for penalties for clandestine emigration. On 11 June, he declared a state of

emergency on the grounds that the nation was facing extreme danger and risks of invasion. A crisis committee is studying measures to be implemented under the state of emergency.

6. Despite the electoral timetable, no legislative action has been taken to prepare for the legislative elections and the Chamber of Deputies, which was due to resume its session on 13 June, has been unable to meet.

7. Having considered the recent developments in Haiti, the Security Council by its resolution 917 (1994), adopted on 6 May 1994, decided, inter alia, to impose additional measures tightening the sanctions against the illegal authorities in that country.

8. The Organization of American States, in its resolution MRE/RES.6/94, unanimously adopted by the session of the Ad Hoc Meeting of Ministers for Foreign Affairs on Haiti held on 6 and 7 June 1994, reiterated in paragraph V,2 the need for States members of OAS and the United Nations to support and reinforce such embargo measures as suspension of commercial flights, freezing of assets of the Haitian de facto regime and its supporters, as provided in resolutions MRE/RES.2/91, MRE/RES.3/92 and MRE/RES.4/92, and to suspend international financial transactions with Haiti.

9. Further sanctions have been considered or implemented by individual Member States. In a statement of conclusions issued on 3 June in New York (S/1994/686, annex), the Friends of the Secretary-General on Haiti expressed their readiness to consider, on a national basis, additional measures such as suspension of commercial flights and banning international financial transactions. Following that statement, on 10 June, the United States of America banned all commercial flights with Haiti effective 25 June, as well as financial transfers to and from that country. Canada, as well as Panama, also suspended their commercial flights with Haiti.

10. In order to tighten the cordon around the island, the United States deployed two additional navy vessels off Haiti, bringing to eight the number of United States ships working with one Canadian, one Argentine and one Dutch ship. A French vessel is expected to arrive soon. Small United States boats have also been deployed to patrol along the coasts.

11. Steps have also been taken on land to enforce the sanctions mandated by the Security Council in its resolution 917 (1994). In that connection, the Security Council urged the Secretary-General to respond positively to the request of the Dominican Republic for a team of technical experts to assess the situation on its border with Haiti and to make recommendations to the Secretary-General. Accordingly, the Secretary-General dispatched a team of three persons who visited the Dominican Republic from 19 to 24 May 1994 and submitted their report to the Secretary-General on 27 May 1994. On the basis of that report, on 9 June the Secretary-General communicated his observations and recommendations to the Government of the Dominican Republic. On 15 June, the Committee established by the Security Council under resolution 841 (1993) adopted consolidated guidelines on the conduct of its work together with a comprehensive list of persons falling under the provisions of paragraph 3 of resolution 917 (1994). The guidelines

were transmitted to all Member States on 21 June for their information and guidance.

12. In a related development, President Balaguer and Mr. Dante Caputo, my Special Representative and Special Envoy of the Secretary-General of OAS, indicated, in a joint statement on 1 June, that technical assistance in enforcing the embargo would be provided by several countries, under bilateral arrangements. A maximum of 60 foreign experts would be dispatched to the border and equipment would be provided to ensure control of land and sea traffic.

13. In accordance with paragraph 7 (a) of resolution 917 (1994), President Balaguer has allowed the border with Haiti, which had at first been totally sealed, to be reopened for traffic in foodstuffs and medical supplies. In their statement of conclusions, the Friends of the Secretary-General welcomed the decision by the Dominican Republic and its request for international technical assistance, expressing their readiness to help it in achieving this goal.

14. As to human rights, the situation has deteriorated sharply, with new patterns of repression such as the abduction and rape of family members of political activists. Since the adoption of resolution 917 (1994), 50 politically related killings have been documented by the International Civilian Mission. In a growing number of cases, the implication of members of the Armed Forces, or Front révolutionnaire pour l'avancement et le progrès (FRAP), has been established. The executions seem consistent with a systematic elimination of members of popular organizations which support the return to constitutional order.

15. The security environment remains highly unstable and incidents have occurred involving Embassy staff and United Nations security officers who have been subject to threats and intimidation from armed civilians as well as from military personnel. Nevertheless, in a press communiqué issued on 13 June, the Ministry of Information stated that all foreigners living in Haiti had the full guarantee that they were safe and might freely go about their activities. On 17 June, however, the regime announced the creation of "strategic no-go areas" from which all foreigners would be banned. These include territorial waters within a 3-mile range, land borders and places where radio antennas are located.

16. The humanitarian situation in Haiti continues to deteriorate in spite of efforts by the United Nations and OAS, non-governmental organizations and bilateral donors. The response to the United Nations/OAS appeal launched in March 1993 has been disappointing: contributions of $9.6 million against identified requirements of $62.7 million. United Nations organizations have had to draw on their core resources to maintain essential programmes. More significantly, however, many donors have contributed either directly or through non-governmental organizations. The total value of humanitarian assistance provided in 1993 is estimated at $68.5 million in the areas of health, food aid, water and sanitation and agriculture. Preliminary indications indicate that this level of activity will be maintained in 1994 if conditions permit. In addition, the United Nations and OAS have initiated a fuel management programme to provide the fuel necessary for the continuation of humanitarian assistance activities.

17. Obstacles have been encountered in the provision of humanitarian assistance. Although exempted from the trade embargo imposed by resolution 917 (1994), imports of essential health products and foodstuffs have decreased considerably and this has affected the stocks available to the humanitarian agencies. There is a scarcity of local currency to pay for local goods. Problems are being encountered with respect to the shipment and internal distribution of relief supplies. The unstable security situation described above also affects humanitarian relief operations.